

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-17 will be pending. By this amendment, claims 1-15 have been amended, and new claims 16-17 have been added.

§102 Rejection of Claims 1-15

The Examiner has rejected claims 1-15 under 35 U.S.C. §102(b) as being unpatentable over Koyama et al. (U.S. Patent 6,112,010; hereinafter referred to as "Koyama"). This rejection is respectfully traversed below.

Regarding claim 1, as shown above, claim 1 has been amended and calls for:

1. (Currently Amended) A reproducing apparatus for receiving contents data from a record medium or a transmission medium, the reproducing apparatus comprising:
 - index picture generating means for retrieving a picture frame from the contents data, and generating an index picture, wherein the picture frame size of the index picture is smaller than the picture frame size of the contents data;
 - selecting means for selecting an output type of the index picture for a display device;
 - picture processing means for processing the index picture data according to the output type selected by said selecting means;
 - and
 - display means for displaying on the display device the index picture formed by said picture processing means;
 - wherein at least one index picture formed by said picture processing means is arranged in one direction on the display device.

Accordingly, in one aspect of claim 1, the reproducing apparatus includes selecting means to select an output type for the index pictures for a display device. The apparatus uses the

selected output type to process the index picture data for display on the display device. In one example, the selecting means selects between formats compatible with the NTSC standard or the PAL standard. By providing selection of an output type to match a display device, the apparatus advantageously provides flexibility in being compatible with multiple types of display devices. (See, e.g., the Specification of the present application at page 21.)

Claim 1 has been amended and the Examiner's arguments presented in rejecting claim 1 on pages 2 and 3 of the Office Action do not appear to apply to amended claim 1. It does not appear that these arguments address the selection of output types and processing of index picture data according to the selected output type called for in amended claim 1.

Accordingly, it does not appear that the Examiner has established how Koyama, as referenced by the Examiner in rejecting claim 1, shows or suggests at least these aspects of amended claim 1, and so it is submitted that the Examiner has not established how Koyama shows or suggests amended claim 1 as a whole. Claims 2-8 and 16 depend from claim 1, and it is also submitted that the Examiner has not established how Koyama shows or suggests claims 2-8 and 16, through their dependence on claim 1. Similar arguments apply to claim 9, and so to claims 10-15 and 17 that depend from claim 1.

Based upon the foregoing, it is submitted that claims 1-15 are not anticipated by nor rendered obvious by the teachings of Koyama, as presented and referenced by the Examiner. Accordingly, it is submitted that the Examiner's rejection of claims 1-15 based upon 35 U.S.C. §102(b) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

New Claims

New claims 16 and 17 depend from claims 1 and 9, respectively. Claims 16 and 17 indicate the output type is selected from the types NTSC or PAL.

As discussed above, it is submitted that the rejections of claims 1 and 9 have been overcome. Therefore, it is submitted that claims 16 and 17 should be allowable.

CONCLUSION

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-17 is respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

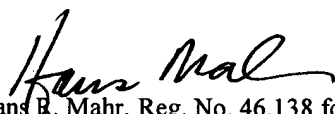
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicants' representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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